

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

DEBRA SMITH,

Plaintiff,

vs.

Case No. 08-1141-JTM

MICHAEL J. ASTRUE,
Commissioner of Social Security

Defendant.

MEMORANDUM AND ORDER

Presently before this court is plaintiff Debra Smith's (Smith's) petition for review of a final decision of the Commissioner of Social Security (Dkt. No. 4). Upon request of the defendant (Dkt. No. 10), and pursuant to 42 U.S.C. § 405(g), the Administrative Law Judge's (ALJ's) decision is reversed, and the case is to be remanded to the Commissioner for further consideration of Smith's claims. This decision should be considered a final judgment.

IT IS ACCORDINGLY ORDERED this 3rd day of March, 2009, that the Commissioner's motion to remand and reverse and for entry of final judgment (Dkt. No. 10) is granted.

s/J. Thomas Marten
J. THOMAS MARTEN, JUDGE